

United States District Court  
Western District of Mich.

United States of America  
Plaintiff

**FILED - GR**  
July 11, 2016 10:34 AM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: ns SCANNED BY: kw / 7-11

Case 1:15CR 183-01

JTN

v

Michael Aho Kennedy  
Defendant  
and

Michigan Public School  
Employees Retirement  
System, Offices of  
Retirement Services  
Garnishee

Defendant's Response to  
Garnishee's Answer

Michael Aho Kennedy ("Kennedy") Defendant,  
in proper, responds to Michigan Public  
School Employees Retirement System's  
Answer Of The Garnishee ("ORS") saying:

1. ORS (via "Amy Wheeler") has



provided Kennedy with a partially illegible photocopy of its Answer Of The Garnishee.

2. Kennedy has earlier (June 23, 2016) filed with this Court's Clerk his Request for Hearing and Objections To Writ of Garnishment and Motion. Additional filings, of course, were to the US Attorney, Western Dist., US District Court, and ORS.

3. Without waiving any of Kennedy's said Objections to Plaintiff's Application for a Writ of Garnishment, Kennedy objects now to Garnishee's Answer Of The Garnishee stating:

A. ORS has admitted that the 57<sup>th</sup> Circuit Court has already seized Kennedy's ORS pension account.

B. Because the ORS pension account is already seized



by a circuit court, the Garnishee cannot claim in its Answer that any disposable earnings are available for garnishment.

C. ORS, also, has patently mis-calculated the dollar amount on line "4" ("Test I") and therefore also line 8; 9 of its Answer

D. ORS' line 4 (and line 8) if true should read \$421.13. (25% of \$1,684.53 = \$421.13, as well as on line 9.

E. Service: Kennedy has served this Response by first class mail on July 8, 2016; upon: US Atty Jennifer S. Murnahan, US District Court, Western Dist, POB 208, Grand Rapids, MI 49501-0208; and Michigan Public School Employees Retirement System: Attn: Plan Adm, Dept of Mgt & Budget, Offices of Retirement Services, POB 30171, Lansing Michigan 48909

Wherefore, Kennedy asks this Court to:

A. Reject and disregard ORS's Answer as patently defective in both mathematical calculations and law (ie. ORS's right to withhold any pension payment) because of the Circuit Court's seizure of ORS' pension account.

B. Quash Plaintiff's Application for a Garnishment Writ pursuant to additional arguments by Kennedy already filed with this Court on 6/23/16.

Signed: dated July 7, 2016

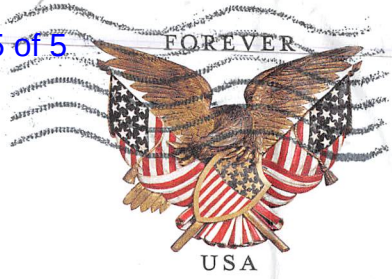


Michael Kennedy 972647  
Macomb Correctional Facility  
34625 26 Mile Rd  
New Haven, MI 48048



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Clerk of the Court  
U.S. District Court, Western Dist.  
Gerald R. Ford Bldg - Rm. 399  
110 Michigan Ave.  
Grand Rapids, MI 49503

49503-231793

